

Bereskin & Parr

INTELLECTUAL PROPERTY LAW

Scotia Plaza, 40 King Street West, 40th Floor
Toronto, Ontario, Canada M5H 3Y2
t: 416 364 7311 f: 416 361 1398



TELEFAX TRANSMITTAL

TO: U.S. Patent and Trademark Office

Attn: Marian Day Group Art Unit: 1753

Re: Serial No.: 10/667,898. Filed: September 23, 2003

FAX NO.: 1-703-746-6597

FROM: Linda Rooney for Ian C. McMillan

DATE: March 30, 2004

PAGES: 3
(Including cover sheet)

File No.: 9351-242

Lawyer No.: 165

If transmission is interrupted or of poor quality, please notify us immediately by calling Linda Rooney at (416) 364-7311, ext. 6355.

COMMENTS:

CONFIDENTIAL

This communication may contain information that is privileged or confidential and is intended only for the use of the individual to whom it is addressed. Any other distribution, copying or disclosure is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.

Bereskin & Parr

INTELLECTUAL PROPERTY LAW

March 30, 2004



Ian C. McMillan B.Sc. (Math & Eng.), LL.B., LL.M.
416 957 1644 imcmillan@bereskinparr.com

Your Reference: 10/667,898
Our Reference: 9351-242

MISSING DECLARATION

By Fax 1-703-746-6597

The Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia
U.S.A. 22313-1450

Attention: Marian Day

Dear Sir:

Re: United States Patent Application No. 10/667,898
Title: A FUEL CELL SYSTEM AND METHOD OF
OPERATING THE SAME
Applicant: Joseph Cargnelli, Todd A. Simpson and Stephen Burany

Further to our telephone conversation this morning, please find attached a copy of the executed Declaration for the above-noted patent application.

Yours truly,

Linda Rooney for
Ian C. McMillan

Attach.

Please send all correspondence to the Toronto office

Scotia Plaza, 40 King St. West, 40th Floor,
Toronto, Ontario, Canada M5H 3Y2
Tel: 416.364.7311 Fax: 416.361.1398

2000 Argentia Rd., Plaza 4, Ste 430,
Mississauga, Ontario, Canada L5N 1W1
Tel: 905.812.3600 Fax: 905.814.0031

Waterloo Technology Campus, 408 Albert St., Ste. 2,
Waterloo, Ontario, Canada N2L 3V3
Tel: 519.783.3210 Fax: 519.783.3211

www.bereskinparr.com